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ACCOUNT NO. 23-0975

11/21

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 5300**
Takaaki NAMBA et al. : Attorney Docket No. 2002_0230A
Serial No. 10/073,204 : Group Art Unit 3625
Filed February 13, 2002 : Examiner Robert M. Pond
CONTENT DISTRIBUTION MANAGEMENT: **Mail Stop AMENDMENT**
SYSTEM AND CONTENT DISTRIBUTION
MANAGEMENT METHOD

RESPONSE TO NOTICE OF NOT FULLY RESPONSIVE REPLY FOR
APPLICATION UNDER ACCELERATED EXAMINATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Notice of Not Fully Responsive Reply mailed by the U.S. PTO on March 21, 2007, the Examiner indicated that the reply filed December 12, 2006 is not fully responsive to the prior non-final Office Action because "newly added claim language uses terminology to claim multiple structural elements that is inconsistent with terminology disclosed in the specification and drawings. For example, at least content specify unit, content acquiring unit, and content purchasing unit are structural element terminology that is inconsistent with cited disclosures and tedious to map to a particular embodiment. Correction is necessary."

Accordingly, Applicants present below a discussion of the manner in which features of an embodiment of the present invention correspond to those elements recited in present independent claim 45.

Initially, it is noted that the present application is directed to a content distribution management system, and refers to a "primary circulation" of content and a "secondary circulation" of content. The primary circulation of content is described, for example, as the

circulation of content between a content providing device 1 and a content distributing device A 11 (see Figs. 1-6C, and the description of the "First Embodiment" at pages 11-28). The secondary circulation of content is described, for example, as the circulation of content between a content distributing device A 11 and a content distributing device B 13. The characteristics of the secondary circulation of content are similar to and make reference to the characteristics of the primary circulation of content. In this regard, reference is made to, for example, the description at page 28, line 26 - page 29, line 4, as well as page 30, lines 5-12 and page 31, lines 21-24. Furthermore, Figs. 9 and 12, illustrating a secondary circulation, show a schematic depiction (using a double-ended arrow) referring to the distribution of content in a primary circulation.

Thus, in the secondary circulation of content, the content distributing device A 11 has characteristics of the content providing device 1 in the primary circulation of content.

Claim 45 sets forth a content distribution management system for circulating a content via a network, and recites somewhat generically that the system comprises a first communication terminal device, a second communication terminal device, a distribution management device, a communication exchange device and a content providing device. An exemplary embodiment including these components is shown and described in the present specification and drawings wherein the recited "first communication terminal device" corresponds to the content distributing device B13 illustrated, for example, in Figs. 7 and 8. The recited "second communication terminal device" corresponds to the content providing device A 11 shown, for example, in Figs. 7 and 8. The recited "distribution management device" corresponds to the content distribution management device 17 in Figs. 7 and 8, and the recited "communication exchange device" corresponds to the content exchanging device 15 shown in Figs. 7 and 8. The recited "content providing device" refers to the content providing device 1 illustrated in, for example, Figs. 1 and 2 in the discussion of the primary circulation of content, which is incorporated by reference in the secondary circulation of content description.

Claim 45 further specifies that the "first communication terminal device" includes a content specifying unit, a content acquiring unit, and a content purchasing unit. The content specifying unit is recited as being operable to send search request information to the

communication exchange device, to receive a search list from the communication exchange device, and to specify at least one content based on the received search list (see, for example, S821, S823 in Fig. 8, as well as the description at page 33, line 22 - page 34, line 13). The content acquiring unit is recited as being operable to send distribution request information to the second communication terminal device, and to receive the content from the second communication terminal device (see S831, S833 and the description at page 34, line 17 - page 35, line 10). The content purchasing unit is recited as being operable to send purchase request information to the distribution management device, and to receive copyright information from the distribution management device (see S851, S853 in Fig. 8 and the description at page 35, line 11 - page 36, line 12).

The recited second communication terminal device is specified in claim 45 as including a content receiving unit, a content sending unit and an intermediary information accepting unit. The content receiving unit is recited as being operable to receive a content from the content providing device (see, for example, element 117 in Fig. 7). The content sending unit is recited as being operable to receive the distribution request information from the first communication terminal device, and to send specified content to the first communication terminal device (see S831, S833 in Fig. 8, as well as the description at page 34, line 17 - page 35, line 10). The intermediary information accepting unit is recited as being operable to accept intermediary information from the distribution management device (see S871, S873, as well as S891, S893 in Fig. 8, as well as the description at, for example, page 36, line 18 - page 38, line 5).

The "communication exchange device" is specified in claim 45 as including a content searching unit that is operable to receive the search request information from the first communication terminal device and to send the generated search list to the first communication terminal device (see S821, S823 of Fig. 3, and, for example, the specification at page 33, line 22 - page 34, line 13).

Claim 45 further requires that the "distribution management device" includes a copyright management unit and an intermediary sending unit. The copyright management unit is recited as being operable to receive the purchase request information from the first communication terminal

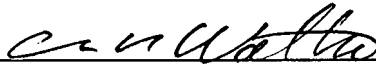
device, to specify copyright information of the content to be purchased, and to send the specified copyright information to the first communication terminal device (see S851, S852 of Fig. 8, as well as the specification at, for example, page 35, line 11 - page 36, line 12). The intermediary information sending unit is recited as being operable to determine details of an intermediary fee, and to send intermediary information with regard to the intermediary fee to the second communication terminal device (see S871, S873, as well as S891, S893, as well as the specification at, for example, page 36, line 18 - page 38, line 5)

With the above supplementary discussion showing correspondence between the claim terminology and the specification and drawings, it is submitted that the response to the July 12, 2006 Office Action is now fully responsive. Thus, for the reasons set forth in the response filed December 12, 2006, it is submitted that the application is clearly in condition for allowance, and an early notice thereof is earnestly solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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